

**NOT DESIGNATED FOR PUBLICATION**

**STATE OF LOUISIANA  
COURT OF APPEAL, THIRD CIRCUIT**

**03-1362**

**KEN SMITH D/B/A/ B & K MUSIC  
VERSUS  
MIKE UNKEL**

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**APPEAL FROM THE  
THIRTY-THIRD DISTRICT COURT,  
PARISH OF ALLEN, NO. C-2000-237,  
HONORABLE PATRICIA C. COLE, DISTRICT JUDGE**

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**Jimmie C. Peters  
JUDGE**

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Court composed of John D. Saunders, Jimmie C. Peters, and Marc T. Amy, Judges.

Saunders, J., dissents.

**SUSPENSIVE APPEAL DISMISSED.  
DEVOLUTIVE APPEAL MAINTAINED.**

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